

**TOWN OF DAVIE  
REGULAR MEETING  
MAY 3, 2006**

**1. PLEDGE OF ALLEGIANCE**

The meeting was called to order at 7:01 p.m. and was followed by the Pledge of Allegiance.

**2. ROLL CALL**

Present at the meeting were Mayor Truex, Vice-Mayor Crowley and Councilmembers Caletka, Paul and Starkey. Also present were Acting Town Administrator Cohen, Town Attorney Kiar, and Town Clerk Muniz recording the meeting.

**3. OPEN PUBLIC MEETING**

Mayor Truex advised of the rules for the Open Public Meeting.

Maryhelen Woods identified herself as being wheelchair bound and dependent on special public transportation. She discussed the difficulty she had in accessing the special transportation because of a non-functional lift. Ms. Woods requested Council to assist her with the problem. Councilmember Caletka substantiated Ms. Woods' comments stating that he had problems with special public transportation last May. The Green and Blue buses were not adhering to schedules; one driver stopped during his route (with passengers) to purchase beer and on another occasion, the driver haphazardly drove through a different neighborhood. Councilmember Paul asked if the buses were required to have a lift. Mr. Cohen answered in the affirmative. Mr. Cohen was not aware of the problems but indicated he would follow up. Councilmember Starkey discussed the need for another vendor because of problems and complaints. Her preference was for an arrangement with Southern Limousine so that residents would have other options.

John Jones, 4235 SW 111 Terrace, spoke about the usage of a single-family residence in the Lawson Isles area that had turned into a nursing home. He expressed concern for the impact on the neighborhood and was angry that an occupational license had been issued to them. Mr. Jones expressed concern for what he believed was an incongruity with the Town's Charter. He addressed concerns regarding health and safety for all parties involved. Of major concern to him was the negative impact on property values. Councilmember Starkey indicated that she had received emails on this issue and questioned whether staff had the chance to investigate the concerns. Development Services Director Mark Kutney indicated that the issue had come to his office in November 2005 and an investigation revealed that the property was classified as a group home. He explained that a group home was not permitted in the A-1 zoning category. Under Florida Statutes, group homes of this nature were allowed with six or less residents without any zoning approval by the municipality in question. Mr. Kutney stated that it was a State over-ride and explained that the Town and the State were presently not in agreement with the issue. The use was permitted and his office was reviewing to insure that the home was meeting all of the requirements. Mr. Kutney advised that he, Code Compliance Official Daniel Stallone, and staff from the Planning and Zoning Division had visited the home and agreed to concerns involving the health department.

Barry Fleischer, 4255 SW 111 Terrace, expressed his anger and disappointment with the Town for issuing a license to the home and spoke about the hazards in the neighborhood that resulted from the property. He had concerns about traffic, delivery trucks, the financial impact on other neighbors' property, health and safety issues and the ultimate possibility of having to file a lawsuit against the Town.

Danny Leeds, 7085 Nova Drive, thanked the Police Department for their service. He wanted to demonstrate his appreciation for the Town's staff.

Travis Liberator, 4818 SW 66 Way, spoke about his experience at the gay rodeo and discussed his organization of a peaceful protest.

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An unidentified woman asked Council to address the police budget in which eight positions were cut. Mayor Truex stated that the budget had not been cut and explained that hearings on the upcoming budget would be posted in the newspaper and on the website as well as the tax bill. He encouraged attendance at that time.

Gail Kania, 6010 SW 39 Court, spoke against dogs being chained or tethered to a stationary object. She asked Council to ban the chaining of cats and dogs in the yard for extended periods.

Barbara Tilley, 1941 SW 87 Avenue, spoke of the easement agreement Sunrise was requiring Davie residents to sign to hook up water meters in the Park City neighborhood. Mayor Truex addressed Vice-Mayor Crowley asking him if he wanted to put this item on for discussion. Vice-Mayor Crowley stated he would meet with Mr. Castro, the Utility Director, to investigate his intentions.

Robert Giordano, Crime Watch Coordinator for Hawkes Bluff of Ivanhoe, voiced his support for Police Chief John George. He discussed the responsiveness of Chief George to issues in his community.

Tom Morin, a previous Town building inspector, discussed his employment problems and concerns about an investigation. Mr. Cohen requested that Mr. Morin provide information to his office.

Kitty Preziosi, 9441 Hollyhock Court supported Chief George and his budget requests.

Terri Santini, 4179 Davie Road, supported Chief George requesting that Council support the budget and Chief George.

Tina Taravella, 360 SW 133 Terrace, supported Chief George and described him as a pillar to the Davie community.

John Ladue, 2961 SW 111 Terrace, supported Chief George and then discussed his fence concerns. Councilmember Starkey spoke on Mr. Ladue's behalf regarding the confusion surrounding the issue. Mayor Truex asked Mr. Cohen to meet with Mr. Ladue and provide him with a written action plan.

Rich Conrey, 4250 SW 109 Avenue spoke against the group home and addressed the following items: the swimming pool, a pond on the side of the house, lack of sidewalks, insufficient parking and appropriate supervision within the group home. He requested that the group home be shut down.

An unidentified man stated that he was the primary neighbor to the group home and there was a 900-gallon septic tank servicing the group home. The man had counted 15 individuals in the facility and had concerns about the hazards. He had observed an elderly woman walking around the neighborhood in a nightgown with her arm bandaged and holding it up in the air. He asked Council to look into the issue and take some action on it.

Vice-Mayor Crowley asked Mr. Cohen why the issue of the group home never came to Council. He stated that all occupational licenses come before Council and he did not recall this one. Councilmember Paul spoke about a similar situation with the Teen Challenge location. She said the Town went through extensive research and felt staff should have informed Council of this project.

Richard Conrey, Sr., 11050 SW 42 Place, spoke against the group home and questioned how the home got an occupational license without anyone knowing about it. He wanted the residents in the group home evicted the next morning. Mr. Connerly was told that he had no rights under the State of Florida. He said their field drain was about to erupt because of over use and insisted Council do something immediately and threatened a billion dollar lawsuit. According to his calculations, the pond was 18 feet deep without fencing.

Arthur Joseph, 13700 SW 18 Court, referenced the Teen Challenge and indicated that the residents of Oak Hill fought Teen Challenge, but to no avail. He supported the residents of Lawson Isles and expressed his concerns regarding the futility of fighting the issue. Mr. Joseph spoke of his trip to Oklahoma City.

Norm Blanco spoke of his support for Chief George. He explained the innovative programs brought to the Town by Chief George and requested the community support Chief George.

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Laura Lisowski, 4261 SW 109 Avenue, explained her concerns regarding the group home and the negative impact on her property value as well as concerns expressed by children in the neighborhood for their own safety.

Bill Prema, 13511 SW 16 Court, requested a status report on the Australian pine trees that were damaged behind their property from Hurricane Wilma. Vice-Mayor Crowley stated that the developer should be breaking ground soon, but clearing the canal was part of the project. Margie Prema stated that they were told in January that it would take another two to three months. Mr. Cohen did not know the time schedule, but would look into it. Vice-Mayor Crowley stated that he had been out to the site and agreed that the rubbish was close to the house.

Councilmember Starkey spoke of the trail near the Van Kirk site and asked if a contractor could be hired to clean up the area since it was a result of the hurricane. Mr. Cohen, stated he would look into it, but the Town would still have to pay for part of it. Mayor Truex asked the Premas to contact him the following week if they did not feel their concerns were satisfied by staff.

Councilmember Paul asked if the drainage district had authority over the trees along the canal bank. Vice-Mayor Crowley indicated the negative.

Michael Williams, 10991 SW 42 Place, spoke about the group home. He expressed concerns for the devaluation of the homes in the neighborhood because of the group home and referenced various codes. Mr. Williams questioned who would be responsible for lost value.

John Sansabrino expressed his insight into the value that Chief George brings to the department as a leader and to the community and asked that Council support Chief George.

Denise Rozkowski, 2691 SW 110 Way discussed two Code enforcement problems pertaining to two retail establishments under the guise of agriculture on Hiatus Road. She indicated these nurseries were advertising with signage. Ms. Rozkowski stated that the nurseries had lost their agricultural status and should not be covered under the Right to Farm act. She said she was not opposed to agriculture on Hiatus Road, but she was opposed to retail on Hiatus Road. Ms. Rozkowski concerns were for increased traffic brought into the area because of being a retail business. She requested that Council have a special master hearing regarding the two properties. Ms. Rozkowski requested that the Agricultural Advisory Board redefine the criteria for an establishment to be afforded the special privileges of agriculture and she volunteered to serve on the board.

Bob Muccio discussed concerns with bright lights used for a carnival at the Bonaventure Church that became a nuisance to nearby neighbors because the lights were shining in their homes. He spoke about the impact of people disregarding the no parking signs on the streets when the parking lot at Western High School was half-empty. Councilmember Paul indicated that she had asked for special stipulations put on the permit in relation to the parking, but indicated it was ignored. This year the no parking signs along 136<sup>th</sup> and 14<sup>th</sup> Street disappeared. Her concerns were with the safety and the well-being of the community, despite people believing they should be allowed to park where they choose. Councilmember Paul offered to meet with Mr. Muccio and offered to again add the stipulations.

Marie Kaplan, 5721 SW 54 Court, spoke of the family areas behind Club Eden and expressed concern for the zoning. Her other concern was for streetlights that remained on during the day and indicated that the streetlights on Orange Drive to Davie Road remained on for the past four Sundays.

Richard Weiner, 10244 SW 18 Street, discussed community damage from Hurricane Wilma. He requested that permit fees be waived out of consideration for the residents for the previous and future hurricanes.

Chip Osbourne, 1301 SW 129 Way, wanted to speak on the Lorson Estates, but was redirected by Mayor Truex that this was an item on the agenda to which he could speak later.

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Mayor Truex announced that item 6.6 needed to be tabled to June 7, 2006.

Councilmember Starkey made a motion, seconded by Councilmember Paul, to table. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Truex advised that item 6.7 was withdrawn.

Mayor Truex reopened the Open Public Meeting.

Karen Stenzel-Nowicki, 5480 SW 55 Avenue, asked for an update on the legal research regarding the non-native activities and the non-natives involved in the matters at the Seminole Hard Rock Casino. Mayor Truex asked if a legal opinion had been requested. Mr. Kiar answered in the affirmative, however, he did not have it with him. Mr. Kiar asked if Council would allow him to make a presentation at the next meeting. Ms. Stenzel-Nowicki was agreeable, but requested a copy of his presentation. Her other concern regarded a road widening in front of the Stirling Estates Mobile Home Park at the Turnpike and Stirling Road. In the road widening, parking spaces were added. Additionally, the Seminole Tribal logo was put along the entire length of that piece of road which was part of the Town. Ms. Stenzel-Nowicki questioned who granted permission for this. She stated that none of the property owners were notified, nor were there any public meetings held regarding this. Mayor Truex requested Mr. Cohen to look into it.

Mayor Truex announced that items 4.25 and 4.26 needed to be added to the agenda.

Councilmember Paul made a motion, seconded by Councilmember Starkey, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

#### 4. APPROVAL OF CONSENT AGENDA

##### *Minutes*

- 4.1. February 15, 2006 (Regular Meeting) (tabled from April 19, 2006)
- 4.2. March 1, 2006 (Regular Meeting) (tabled from April 19, 2006)

##### *Proclamation*

- 4.3. National Police Week (May 15, 2006) and Peace Officers' Memorial Day (May 5, 2006)

##### *Parade Permit*

- 4.4. Boy Scouts of America, South Florida Council (May 29, 2006)

##### *Resolutions*

- 4.5. **PLAT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A**  
R-2006-123 **PLAT KNOWN AS THE "LORSON ESTATES" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 8-3-04, Lorson Estates, 1275 SW 130 Avenue) (tabled from April 19, 2006) *Planning and Zoning Board recommended denial***
- 4.6. **FUNDING SUPPORT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,**  
R-2006-124 **SUPPORTING THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL'S APPLICATION FOR FUNDING FROM THE 2006 TRANSPORTATION ENHANCEMENT PROGRAM FOR MULTI-MODAL SHELTERS ALONG STATE ROAD 7 IN DAVIE.**

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- 4.7. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,  
R-2006-125 AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH SUNSHINE AFTER SCHOOL CHILD CARE, INC., TO RENT DAVIE PINE ISLAND MULTIPURPOSE FACILITY FOR AFTER SCHOOL, EARLY RELEASE DAYS, SCHOOL DAYS OFF, WINTER BREAK AND SPRING BREAK AND EXTENDED SUMMER DAY CARE PROGRAMS.
- 4.8. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,  
R-2006-126 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN UNIVERSITY ASSOCIATES, LTD. AND THE TOWN OF DAVIE POLICE DEPARTMENT FOR TRAFFIC CONTROL.
- 4.9. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,  
R-2006-127 AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT WITH SCOUTMASTER'S CAMPOREE, SOUTH FLORIDA COUNCIL, BOY SCOUTS OF AMERICA AND THE TOWN OF DAVIE FOR UTILIZING THE BERGERON RODEO GROUNDS AND HOLDING A MEMORIAL DAY PARADE AND WAIVING RENTAL FEES AND GRANTING PERMISSION FOR THE USE OF SERVICES AND EQUIPMENT
- 4.10. **CONTRACT RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE,  
R-2006-128 FLORIDA, APPROVING A RENEWAL TO THE CONTRACT AWARDED BY BROWARD COUNTY, CONTRACT E-7-04-156-M1-1, FOR MAINTENANCE OF GENERATORS.
- 4.11. **CONTRACT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE,  
R-2006-129 FLORIDA, APPROVING AN EXTENSION TO THE CONTRACT BETWEEN THE TOWN AND TRIANGLE FIRE, INC. FOR PORTABLE FIRE EXTINGUISHER MAINTENANCE. (Triangle Fire, Inc. - \$7,000)
- 4.12. **CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,  
R-2006-130 AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER #3 WITH SELDIN CONSTRUCTION, INC. FOR THE "FIRE AND PUBLIC WORKS ADMINISTRATION BUILDING AND PUBLIC WORKS STORAGE BUILDING". (INCREASE OF \$8,726)
- 4.13. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE  
R-2006-131 BID FOR WATER METER READING SERVICES. (Matvest, Inc., DBA Bermex, Inc. - \$59,929/year)
- 4.14. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING  
R-2006-132 THE APPROPRIATE TOWN OFFICIALS TO ACCEPT THE BID RECOMMENDATION FOR THE PLAYGROUND FOR THE EAST DAVIE NATURE PARK. (Playmore West, Inc. - \$26,925)

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- 4.15. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE  
R-2006-133 BID AWARDED BY THE CITY OF MIAMI GARDENS (BID #04-05-016 SOUTH  
FLORIDA GOVERNMENT COOPERATIVE GROUP) FOR THE INSTALLATION  
AND REPAIR OF CONCRETE RECREATIONAL TRAILS. (Homestead Concrete &  
Drainage - \$30,000)
- 4.16. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE  
R-2006-134 BID FOR REHABILITATION OF LIFT STATION #5. (Akerblom Contracting, Inc. -  
\$310,000)
- 4.17. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE  
R-2006-135 BID AWARDED BY BROWARD COUNTY CONTRACT NO. D2TL00102 TO  
MOTOROLA FOR THE PURCHASE OF EMERGENCY SERVICES 800 MHZ  
PORTABLE RADIOS FOR \$49,849.60.
- 4.18. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, FOR AN  
R-2006-136 AGREEMENT (MEMORANDUM OF UNDERSTANDING) BETWEEN THE TOWN  
OF DAVIE AND THE DEPARTMENT OF FINANCIAL SERVICES, DIVISION OF  
STATE FIRE MARSHAL, IN ORDER TO RECEIVE FUNDING FOR THE TOWN OF  
DAVIE FIRE RESCUE DEPARTMENT TECHNICAL RESCUE TEAM.
- 4.19. **PURCHASE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,  
APPROVING THE FLORIDA STATE CONTRACT # 250-000-03-1 FOR THE  
PURCHASE OF LAPTOP COMPUTERS AWARDED TO DELL COMPUTER  
CORPORATION. (\$73,757.96)
- 4.20. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,  
R-2006-137 AUTHORIZING THE MAYOR TO ENTER INTO THE SECOND AMENDMENT TO  
THE INTERLOCAL AGREEMENT WITH THE BROWARD COUNTY  
METROPOLITAN PLANNING ORGANIZATION.

*Temporary Use Permits*

- 4.21. TU 2-3-06, Bradford Marine Inc., 3051 West State Road 84  
4.22. TU 3-4-06, Young at Art, 11584 West State Road 84

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*Quasi-Judicial Consent Agenda*

- 4.23. SP 8-12-04, Lorson Estates, 1275 SW 130 Avenue (A-1) (tabled from April 19, 2006) *Site Plan Committee recommended approval based on the planning report and the rezoning; that on the site plan, take the entrance feature wall and mirror it on both sides of the entry and increase it to approximately 35-feet long in order to buffer the side entry garages; access lot number four from the side street; label models on the floor plan so that they are clear; readdress the landscaping along the perimeter buffers, specifically SW 14 Street, because it does not appear to be any type of buffer to the neighbors across the street; on model number one, add shutters to the front window, look at the gable over the garage, correct the rear elevation and make it correct to the actual configuration; on model two, look at the front fake balcony as possibly being a real balcony or a large recessed window; show the "box outs" on the floor plan that represent the architectural elements on the front; offer three different colors for the brick pavers for the driveways; add windows with some decoration to each garage; and show the roof slope at "4 to 12" and would recommend a steeper slope to give it more presence*
- 4.24. MSP 7-4-05, Flamingo Village, 800 South Flamingo Road (RM-5) *Site Plan Committee recommended approval subject to the staff recommendation report items number one, three, four and five; that the side elevations on the end units shall be per the Jeff Evans' initialed sketches; that the lake bank area next to the retention pond shall have a five-foot flat area adjacent to the patios next to all the buildings before the slope begins; to delete the south-side signage in order to increase visibility for traffic; to change the roof material to a blended flat-tile, shake style concrete roof; to provide back to the Site Plan Committee a sample of the roof material and color boards; and, to increase the radius on the fire truck turn-around to a 38-foot inside radius in both directions and increase the depth to 30-feet deep*

*Item to be added*

- 4.25. A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT WITH SLAVIN MANAGEMENT CONSULTANTS, INC. FOR EXECUTIVE SEARCH SERVICES FOR THE TOWN ADMINISTRATOR JOB CLASSIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Starkey pulled items 4.3, 4.4, and 4.20 from the Consent Agenda. Councilmember Paul pulled items 4.5, 4.7, 4.23, and 4.24. Councilmember Caletka pulled items 4.14 and 4.19. Mayor Truex pulled items 4.11, 4.12, 4.17 and 4.25.

Councilmember Starkey made a motion, seconded by Councilmember Caletka, to approve the Consent Agenda minus items 4.3, 4.5, 4.7, 4.11, 4.12, 4.14, 4.17, 4.19, 4.20, 4.23, 4.24, and 4.25. In a voice vote, all voted in favor. (Motion carried 5-0)

**5. DISCUSSION OF CONSENT AGENDA ITEMS**

4.3 Councilmember Starkey read the proclamation and reminded the community that the Town was building a Police and Fire memorial in recognition to the dedication of the Town's police officers. She advised that the second annual golf tournament would be held on May 22nd and indicated that the memorial would be unveiled on July 4th at the Pine Island Multipurpose Center. Councilmember Starkey added her support to the Chief George and hoped an agreement with the union could be worked out to resolve some of the issues on hand. Councilmember Starkey requested a representative from the Fraternal

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Order of Police, Police Chief George, Majors Killam and Taylor to come up and accept the proclamation. Council thanked the individuals.

Councilmember Starkey made a motion, seconded by Mayor Truex, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

4.5 Later in the meeting, Vice Mayor Crowley made a motion, seconded by Councilmember Starkey, to approve the plat for the subject site. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Crowley - yes; Councilmember Caletka - no; Councilmember Paul - no; Councilmember Starkey - yes. (Motion carried 3-2)

4.7 Councilmember Starkey voiced her concerns with regard to accommodating the special needs population and wanted language in the contract to ensure accommodation.

Councilmember Starkey made a motion, seconded by Vice-Mayor Crowley, to approve with language in the contract regarding accommodating the special needs population from the school area. In a voice vote, all voted in favor. (Motion carried 5-0)

4.11 Mayor Truex noted that the backup indicated the contract was being extended from 2005 to 2007. Public Works/Capital Projects Director Bruce Bernard confirmed and explained that until recently, contract extensions did not need Council approval.

Mayor Truex passed the gavel and made a motion, seconded by Vice-Mayor Crowley, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

4.12 Mayor Truex requested information regarding why the change was not anticipated. Mr. Bernard explained that a mistake had been made on the engineer's part regarding variation in the size of the sewer line.

Vice-Mayor Crowley made a motion, seconded by Mayor Truex, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

4.14 Councilmember Caletka indicated that he was in favor of this issue but recommended adding the backup material which he had requested.

Councilmember Caletka made a motion, seconded by Councilmember Starkey, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

4.17 Mayor Truex questioned if the vendor was sole source. Fire Chief Don DiPetrillo responded in the affirmative.

Vice-Mayor Crowley made a motion, seconded by Councilmember Starkey, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

4.23 Earlier in the meeting, Vice-Mayor Crowley made a motion, seconded by Councilmember Starkey, to approve the site plan with the same recommendations that went with the land use.

Councilmember Paul requested the applicant offer a one-story dwelling. Mr. Mele agreed to do so providing the applicant did not have to return to the Site Plan Committee for approval on the plans. Councilmember Paul requested information regarding whether or not they were planning "side loading" garages. The applicant answered in the affirmative.

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Vice-Mayor Crowley corrected his motion to reflect the side loading garages and the one story model. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Crowley - yes; Councilmember Caletka - no; Councilmember Paul - no; Councilmember Starkey - yes. (Motion carried 3 - 2)

4.19 Mr. Caletka discussed his efforts to find a better product at half the cost through research with Dell Computers. Mayor Truex questioned the ability to postpone this purchase and was advised that some of the laptops in use were approaching 7 years of age.

Vice-Mayor Crowley made a motion, seconded by Mayor Truex, to table to May 17, 2006. In a voice vote, all voted in favor. (Motion carried 5-0)

4.20 Councilmember Starkey asked who initiated the change. Councilmember Paul indicated that the Metropolitan Planning Organization initiated the change.

Councilmember Paul made a motion, seconded by Mayor Truex, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

4.24 Mayor Truex turned this portion of the meeting over to Mr. Kiar. Mr. Kiar read the rules of evidence and swore in the witnesses. Mr. Dell summarized the planning report.

Councilmember Paul expressed concern regarding the process of submitting changes and suggested that a policy be made to allow the applicant to provide changes in an orderly and timely fashion to allow Council to review and eliminate confusion. She requested information pertaining to pond changes and dry retention. Gus Khavanin, representing the applicant, stated that there was no plan to change the pond to the dry retention area. He indicated the Site Plan Committee wanted a five-foot flat area in the back with landscaping and he needed a variance from the drainage district to plant the trees. Councilmember Paul questioned if that would create the need to increase the size of the pond. Mr. Khavanin answered in the negative. Councilmember Paul mentioned the drainage requirement being 25%. Mr. Khavanin stated the plans indicate the drainage area was over 50%.

Councilmember Paul expressed concern about potential compromise to the scenic corridor. She asked if the patio areas were put back and Mr. Khavanin answered in the affirmative. Councilmember Paul asked about the fencing of the property and safety issues with patios facing the pond. Mr. Khavanin answered that the applicant would not be fencing the properties. Councilmember Paul did not like dry retention, so she would have requested a number of stipulations. She found problems with the proposed decorative lighting indicating it would be too much.

Mr. Kiar opened the public hearing portion of the meeting. As no one spoke, Mr. Kiar closed the public hearing and turned this portion of the meeting over to Council for disclosures.

Councilmember Paul advised that she had met with the applicants. Councilmember Starkey stated she met with the applicants, as did Councilmember Caletka and Vice-Mayor Crowley. Mayor Truex stated that he had not spoken to anyone.

Councilmember Paul wanted to know if there was a lift station. Mr. Khavanin answered in the affirmative. Councilmember Paul indicated she did not see a request for a generator at the lift station. Mr. Khavanin stated that there was an adaptor at the lift station with Councilmember Paul wanting a generator included. Mr. Khavanin stated he would include it. Councilmember Paul asked if there was a clubhouse. Mr. Khavanin stated there was none.

Councilmember Paul wanted all prospective property owners made aware of the dry retention, as well as disclosing all drainage easements, and the inability to place structures, including fencing, within the identified areas. Mr. Khavanin stated that the homeowner's association documents indicated that no

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fences shall be constructed within the drainage easements and that the portion of the area would be used and maintained by the homeowner's association.

Councilmember Paul wanted all conditions of approval including the additions made that evening be placed upon the site plan and recorded in the official records of Broward County at the applicant's expense. She advised of the following: 1) due to the essential connection between all property owners and the drainage system, the homeowner's association documents must reflect the existence of a master drainage permit, the drainage easements and the requirement that no alterations, changes or structures were allowed within the easements without approval from both the Town and Central Broward; 2) a yearly inspection would be made of the drainage systems, which must include a report certified by the engineer of record that no changes have been made to the drainage system unless those changes have been approved by the Town and Central Broward and the report would have to be accepted by the Town; and 3) to insure that the drainage system was maintained as approved, the Town had requested a bond which would be valid for five years past the date of issuance of the last certificate of occupancy and in the event alterations were made to the system that requires immediate attention, the bond may be cashed by the Town to conduct the necessary improvements. Councilmember Paul indicated that the bond would be returned if it were not necessary to use it. The recommendation by Planning and Zoning was that the bond be worth \$5,000 per unit. She wanted to know how many units were impacted by the dry retention. Mr. Khavanin stated there were 24 units impacted by the dry retention area.

Mayor Truex made a motion, seconded by Vice-Mayor Crowley to approve subject to the recommendations made by Councilmember Paul and the items agreed to by the applicant.

Councilmember Starkey wanted the motion to include approval by the Central Broward Water Control District. She spoke of her concerns for the dry retention areas.

In a roll call vote, the vote was as follows: Vice-Mayor Crowley - yes; Councilmember Paul - no; Councilmember Starkey - yes; Mayor Truex - yes; Councilmember Caletka - no. (Motion Carried 3 - 2)

4.25 Human Resources Director Mark Alan discussed the contract between the Town and Slavin Management Consultants for the purposes of an executive search for the Town Administrator position. He discussed the contents of the contract that included the performance criteria as well as the time schedule to include a penalty for lateness.

Councilmember Starkey wanted a specific end point. Mr. Alan suggested the contract include a termination date, which could be on the 90th day or any time sooner based on the progress or lack of progress made. He advised that Mr. Slavin wanted to meet with Council to lay out a schedule to insure progress. Councilmember Starkey stated the necessity of avoiding any potential for a conflict of interest and requested a weekly progress report for at least the first 30 days. Councilmember Paul expected that Mr. Slavin would have at least a phone conversation with each Councilmember by the end of the week.

Councilmember Starkey made a motion, seconded by Mayor Truex, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

## 6. PUBLIC HEARING

### *Ordinances - Second and Final Reading*

- 6.1. **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING ORDINANCE NO. 2002-9; AMENDING SECTION 2-73(b) OF THE DAVIE CODE OF ORDINANCES BY MERGING THE CHILD SAFETY BOARD AND THE DAVIE SCHOOL ADVISORY BOARD; DELETING SECTION 2-73(f) OF THE DAVIE CODE OF ORDINANCES"; AND PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading April 19, 2006 - all voted in favor with Councilmember Paul being out of the room}**
- 2006-11

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Later in the meeting, Town Clerk Muniz read the ordinance by title.

Mayor Truex opened the public hearing portion of the meeting. As no one spoke, the public hearing was closed.

Vice-Mayor Crowley made a motion, seconded by Mayor Truex, to approve. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Crowley - yes; Councilmember Caletka - yes; Councilmember Paul - yes; Councilmember Starkey - yes. (Motion carried 5-0)

- 6.2. **CODE AMENDMENT - AN ORDINANCE OF THE TOWN COUNCIL OF THE**  
2006-12 **TOWN OF DAVIE, FLORIDA AMENDING CHAPTER 13, LICENSES AND**  
**BUSINESS REGULATIONS OF THE CODE OF ORDINANCES BY DELETING**  
**ARTICLE IV ADULT ENTERTAINMENT AND MASSAGE PARLORS IN ITS**  
**ENTIRETY; PROVIDING ARTICLE IV ENTITLED SEXUALLY ORIENTED**  
**BUSINESS; PROVING FOR PURPOSE AND INTENT PROVIDING FOR**  
**DEFINITIONS; PROVIDING FOR A CLASSIFICATION OF SEXUALLY**  
**ORIENTED BUSINESSES, PROVIDING FOR LICENSING AND REGULATION OF**  
**SUCH BUSINESSES; PROVIDING FOR FEES; PROVIDING FOR THE**  
**INSPECTION, EXPIRATION, SUSPENSION AND REVOCATION OF SEXUALLY**  
**ORIENTED BUSINESS; PROVIDING FOR HEARING AND APPEALS;**  
**PROVIDING FOR HOURS OF OPERATION; PROVIDING SUPPLEMENTAL**  
**REGULATIONS AND DESIGN STANDARDS PERTAINING TO SEXUALLY**  
**ORIENTED BUSINESS USES; PROVIDING FOR PENALTIES AND**  
**ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR**  
**CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. {Approved on First**  
**Reading April 19, 2006 - all voted in favor}**

Town Clerk Muniz read the ordinance by title.

Mayor Truex opened the public hearing portion of the meeting.

Karen Stenzel-Nowicki, 5480 SW 55 Avenue wanted to know if the sale and service of alcohol would be permitted with this type of licensing. Mr. Kutney indicated that this was addressed in Section 3.

Mr. Aaronson, representing Club Eden, asked Council to table the item so that he could meet with Councilmembers. His request was premised on his desire to save the Town money from a lawsuit that he would have to file if Council voted against the Code. Mr. Aaronson discussed reasons why the Town would lose the lawsuit premised on the fact that case law and studies exist to demonstrate that adult entertainment clubs do not cause 1) adverse secondary effects, 2) health risk, 3) increased crime and 4) urban blight.

Mayor Truex closed the public hearing portion of the meeting.

Mayor Truex asked special counsel Michael Burke if he had any thoughts. Mr. Burke answered that this was not a regulation that was specific to Club Eden. He felt the Town could move forward as these were a rewrite of the Town's regulations with regard to adult oriented businesses and should not be considered for its effects on Mr. Aaronson's clients.

Councilmember Starkey made a motion, seconded by Councilmember Paul, to approve. In a roll call vote, the vote was as follows: Councilmember Paul - yes; Councilmember Starkey - yes; Mayor Truex - yes; Councilmember Caletka - yes; Vice-Mayor Crowley - yes. (Motion carries 5 - 0)

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- 6.3. **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA**  
2006-13 **AMENDING CHAPTER 12 ENTITLED LAND DEVELOPMENT CODE OF THE CODE OF ORDINANCES PROVIDING FOR AN AMENDMENT TO SECTION 12-32 TABLE OF PERMITTED USES PERTAINING TO THE PROVISIONS OF ZONING DISTRICTS THAT WILL ALLOW SEXUALLY ORIENTED BUSINESS USES; AND TATTOO PARLORS. PROVIDING FOR AN AMENDMENT TO SECTION 12-34 DETAILED USE REGULATIONS PERTAINING TO LOCATION, DISTANCE AND CLASSIFICATION OF SEXUALLY ORIENTED BUSINESS USES; PROVIDING FOR AN AMENDMENT TO SECTION 12-503 DEFINITIONS PERTAINING TO SEXUALLY ORIENTED BUSINESS USE DEFINITIONS; PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS, PROVIDING FOR AN EFFECTIVE DATE.**  
**{Approved on First Reading April 19, 2006 - all voted in favor}**

Town Clerk Muniz read the ordinance by title.

Mayor Truex opened the public hearing portion of the meeting.

Karen Stenzel-Nowicki expressed concern about the possibility of "District Zoning" where business of a certain nature not be allowed to permeate one district. She also asked that secondary effects be considered.

Mayor Truex closed the public hearing portion of the meeting.

Councilmember Starkey made a motion, seconded by Councilmember Paul, to approve. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Crowley - yes; Councilmember Caletka - yes; Councilmember Paul - yes; Councilmember Starkey - yes. (Motion carried 5-0)

*Ordinance - First Reading (Second and final reading to be held May 17, 2006)*

- 6.4. **REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 8-2-04, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT TO R-5, LOW MEDIUM DENSITY DWELLING DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 8-2-04, Lorson One, LLC/POA, Acecon Construction Corp., 1275 SW 130 Avenue) (tabled from April 19, 2006) *Planning and Zoning Board recommended denial for the following reasons: that the proposed change will adversely affect living conditions in the neighborhood. The Board having received substantial credible evidence from those testifying determines that the proposed change will adversely affect the living conditions in this surrounding neighborhood; Subsection (e), the Board having received substantial credible evidence has determined that the proposed change will create or excessively increase automobile and vehicular traffic congestion above that which would be anticipated with permitted intensities or otherwise affect the public safety; Subsection (i), the Board having received substantial credible evidence from those testifying believes that there is not substantial reasons why the property cannot be used in accord with the existing zoning; therefore, the Board respectfully moves that the rezoning be denied***

Earlier in the meeting, Mayor Truex turned this portion of the meeting over to Mr. Kiar. Mr. Kiar read the rules of evidence and swore in the witnesses. Planning and Zoning Manager Bruce Dell summarized the planning report.

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Dennis Mele, representing the applicant, referred to the discussion held in April regarding the land use for the property and the proper zoning. He discussed the various activities that were requested of the applicant and that these requests were met. Mr. Mele stated that the applicant had met the requirements of the Central Broward Water Control District and he discussed the laws pertaining to zoning and land use which required a zoning district to be consistent with the land use plan. He indicated that the applicant met or exceeded the entire R-4 requirement with two units per acre with a total of nine units planned for the five gross acres. Mr. Mele stated that despite the request by others to provide one acre per unit, the applicant could not because it was not what the law provided. He advised that there were concerns expressed regarding the height of the homes and stated that the maximum height of buildings in R-4 and R-5 was 35 feet. Mr. Mele indicated that the planned homes were less than 35 feet tall, which was in compliance with the Code. He presented examples of the models and the colors, indicating that they fit in with a rural lifestyle. There were comments from engineering on page five of the site plan that Mr. Mele indicated would be addressed and completed. He requested that completion of items two, three and four become conditions of approval.

Mayor Truex asked Mr. Mele how the site plan and the zoning tied together legally. He expressed concern that their approval would be given and that Mr. Mele would return a year later with a different site plan. Mr. Mele stated that they were platting the property into lots and blocks so that the actual lot would be shown on the plan. Additionally, they would execute a declaration of restrictive covenant indicating that the property would have no more than nine single-family homes. Between the plan, the site plan and the declaration, he believed the company was locked into nine lots and nothing more than the nine lots.

Mr. Kiar asked if the rezoning would be conditional on the site plan presented at this meeting. Mr. Mele answered in the affirmative.

Mr. Kiar opened the public hearing portion of the meeting.

Christine Galbrath, 13501 SW 14 Place, spoke about wanting the project to have one unit per acre and indicated that she was concerned with high-density housing as it related to the visual appeal, the anticipated traffic congestion and flooding concerns. Her perception of the project was that it degraded the community.

Bob Muccio, 13501 SW 14 Place, objected to Mr. Mele's statement that he met with the homeowners the second time. Mr. Muccio claimed that he was never invited nor was anyone on his street. He did indicate that had he met with the principles the first time in his own home. Mr. Muccio felt that a lawsuit was intimated from previous discussion if the zoning was not changed from a five to a four. He expressed concerns for the water and traffic problems in the area as well as a disruption in the "look" of the area. Mr. Muccio was concerned about the property values falling as a result of the new construction.

Chip Osbourne, 1301 SW 129 Way, expressed concerns for the impact additional homes would have on the already overcrowded Western High School. He expressed concerns about the water in the area. Councilmember Caletka mentioned his concerns about the impact of traffic in the area.

Cheryl Zagacki, 13410 SW 14 Place, thanked Councilmember Caletka for coming to view the issue. She begged Council to comply with Mr. Mele and not to allow him to go over the nine homes.

Mr. Kiar closed public hearing.

Mr. Mele stated that the petitioner was dedicating 32 feet of right-of-way on 14th Street and 20 feet of right-of-way on 130th Avenue. He stated that the dedication was 96 feet of green and 24 feet of pavement. The south side would be landscaped identical to the north side subject to getting approval from the Town.

Manny Synalovski, also representing the applicant, stated the applicant had voluntarily agreed to landscape the south side of 14th Street with equivalent landscaping to what the Town was requiring on the

## **TOWN COUNCIL MINUTES**

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north side. Mr. Mele advised that the landscaping would be provided on the south side of 14th Street as well as on the north side of 14th Street in the right-of-way subject to being able to get approval from the Town. He was not sure if Broward County had to approve it because 14th Street was currently on the trafficways plan. Councilmember Paul mentioned that the south side was part of their equestrian trail. Mr. Mele agreed that they would work with the landscapers to ensure that landscaping was done to their approval.

Councilmember Starkey mentioned the on-going traffic at school times. She suggested a speed indicator light with the school crossing on 130th Avenue and 14th Street and requested information with regard to price and possibility. Mr. Mele stated that as part of the planning process, the County had this reviewed by the School Board and also by the County's Traffic Engineering Department and the applicant would be willing to do whatever the County requested. He stated that the applicant was dedicating 32 feet of right-of-way to 14th Street and 20 feet of right-of-way to 130th Avenue and they were putting in a turn lane by the high school, which really had nothing to do with them, but they did it because they were asked to help with the high school traffic. The applicant was also installing walkways along 14th Street and along 130th Avenue. Mr. Mele did not feel he could commit to the signal because he thought the decision rested with the County and he had no idea what the cost of the signal would be. He reiterated that he would have to do whatever the County requested. Mr. Synalovski offered \$15,000 to assist with the signage in the area at the suggestion of Councilmember Starkey, regardless of the County's request.

Mr. Kiar requested Council give their disclosures. Councilmember Caletka advised that he had met with Mr. Osborne and a couple of the neighbors in the area. Mayor Truex stated that he had received letters and emails and spoke with the applicant. Councilmember Starkey stated that she received emails from the residents spoke with the applicant and Mr. Laystrom from an adjacent property. Councilmember Paul stated that she had received emails and a letter from Wayne and Lorraine Hoffman and added that she had also spoken to some residents.

Councilmember Paul provided a neighborhood traffic management study performed by Calvin Giordano in 2002. The report revealed the traffic problems in the area and made recommendations for corrections. The daily traffic on 130th Avenue was between 3,000 - 7,000 vehicles per day in 2002. On 14th Street, from the high school west, there were 8,000 vehicles per day. Mr. Mele did not believe that this report was relevant to the issue. He stated that the rezoning criteria indicated that the only traffic issue was that the proposed change would not create or excessively increase automobile and vehicular traffic above that which would be anticipated with permitted intensities or densities of the underlying land use plan designation. Mr. Mele advised that the permitted densities of the underlying land use designation were 25 units and he planned to build 9 units. He concluded that he had less traffic impact than the zoning criteria called for. He went on to state that the School Board used the land use plan as the basis for their planning.

Councilmember Paul expressed concerns about the flooding in the area as well as traffic lights, signage and traffic. She stated the County had always denied intervention. Mr. Mele addressed the drainage issue and indicated that the digging of the lake would be connected to the canal, which would assist with the drainage in the area.

Councilmember Caletka had visited the area during a peak time when school let out and he found a large number of school children walking. His concern was increased traffic lending to the endangerment of the children in the area. Councilmember Caletka indicated he was not in favor of the project.

Vice-Mayor Crowley made a motion, seconded by Councilmember Starkey, to approve the rezoning with the recommendations made by the Engineering Department, the Site Plan Committee and those made by the Town Attorney to remove the Australian Pines in the right-of-way, landscape the right-

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of-way on the south side of 14th Street, and install a school crossing signal in accordance with Councilmember Starkey's recommendation.

Mayor Truex stated his rationale for his vote was because there were property rights and property desires. He believed the applicant was entitled to more, but felt he would be hard pressed to recommend they were entitled to any less than what they were asking for.

In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Crowley - yes; Councilmember Caletka - no; Councilmember Paul - no; Councilmember Starkey - yes. (Motion carried 3 - 2)

*Quasi Judicial Item*

- 6.5. **SPECIAL PERMIT** - SE 2-1-06, Lazanno and Carico/Trammell Crow Corp., 6300 Stirling Road (B-2) (placement of a modular unit to be used as a bank while repair/construction to the primary structure is being performed) *Site Plan Committee recommended approval*

Mayor Truex turned this portion of the meeting over to Mr. Kiar.

Mr. Kiar read the rules of evidence and swore in the witnesses. Mr. Dell summarized the planning report.

Raul Lazanno, representing the applicant, made himself available for any questions.

Mr. Kiar opened the public hearing portion of the meeting. As no one spoke, Mr. Kiar closed the public hearing and turned this portion of the meeting over to Council for disclosures.

Councilmember Starkey made a motion, seconded by Vice-Mayor Crowley, to approve (subject to a maximum of 18 months). In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Crowley - yes; Councilmember Caletka - yes; Councilmember Paul - yes; Councilmember Starkey - yes. (Motion carried 5-0)

*Item to be withdrawn or tabled*

- 6.6. **PLANNING AND ZONING BOARD TABLED TO MAY 10, 2006; COUNCIL CAN TABLE TO JUNE 7, 2006**

VARIANCE - V 7-3-05, DuPont, 3344 Meadowbrook Way (tabled from April 5, 2006)

This item was tabled earlier in the meeting.

- 6.7. **TO BE WITHDRAWN BY THE PETITIONER**

TRANSMITTAL - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING FOR TRANSMITTAL APPLICATION LA 11-1-05, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM "COMMERCIAL" TO RESIDENTIAL, 16 DU/AC"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (LA 11-1-05, Herity Realty Group, LLC/Bank of America) (tabled from March 1, 2006)

This item was withdrawn earlier in the meeting.

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**7. APPOINTMENTS**

- 7.1. Agricultural Advisory Board (one exclusive appointment - Mayor Truex, Vice-Mayor Crowley and Councilmember Starkey; terms expire April 2008) (insofar as possible, members shall have experience in agricultural matters, related occupations or other similar skills)

Councilmember Starkey appointed herself to the Board.

- 7.2. Budget Advisory Committee (one exclusive appointment - Vice-Mayor Crowley; term expires April 2008) (members shall have experience in a financial related occupation, or similar skills)

No appointment was made.

- 7.3. Open Space Advisory Committee (one exclusive appointment - Mayor Truex, and Councilmembers Caletka and Starkey; terms expire April 2008)

No appointments were made.

- 7.4. Parks and Recreation Advisory Board (one exclusive appointment - Mayor Truex, Vice-Mayor Crowley and Councilmembers Caletka and Starkey; terms expire April 2008) (members should have a concern with or an interest in the park facilities and recreational needs of the citizens of the Town)

Councilmember Caletka made a correction regarding Tina Wright as she was appointed to Parks and Recreation Advisory Board.

- 7.5. Planning and Zoning Board/Local Planning Agency (one exclusive nomination per Councilmember; term May 24, 2006 to May 22, 2007) (member must be a resident and qualified voter; **nominations require Council approval**)

Councilmember Paul made a motion, seconded by Councilmember Starkey, to appoint Mike Bender. In a voice vote, all voted in favor. (Motion carried 5-0)

Councilmember Starkey appointed Mimi Turin. In a voice vote, all voted in favor. (Motion carried 5-0)

Councilmember Caletka appointed Karen Stenzel-Nowicki. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Truex appointed John Stevens. In a voice vote, all voted in favor. (Motion carried 5 - 0)

- 7.6. Senior Citizen Advisory Committee (one exclusive appointment - Mayor Truex and Councilmember Caletka; terms expire April 2008) (members shall be a minimum 60 years of age)

Councilmember Caletka advised Marie Kaplan was appointed to the Senior Citizens Advisory Board.

Councilmember Caletka announced that Norm Blanco would be replacing Terry Santini on the Community Redevelopment Agency.

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- 7.7. Unsafe Structures Board (two non-exclusive appointments; terms expire April 2009) (members shall be permanent resident or have their principal place of business within the Town's jurisdiction) (one appointment shall be a plumbing contractor and one appointment shall be a real estate property manager)

Town Clerk Muniz indicated that he would verify the vacancies on this board.

- 7.8. Water and Environmental Advisory Board (one exclusive appointment - Mayor Truex, Vice-Mayor Crowley and Councilmembers Caletka and Starkey; terms expire April 2008) (insofar as possible, one member shall be a licensed engineer)

Councilmember Starkey appointed Gary Gaffney. Vice-Mayor Crowley thought the remaining appointments were made at the previous meeting.

- 7.9. Youth Education and Safety Advisory Board (two exclusive appointments per Councilmember; terms expire April 2008) (members shall, whenever possible, have interest and expertise in law enforcement, elementary school instruction, education matters, child psychology, pediatric medicine, parenthood and grandparenthood.

Councilmember Paul appointed Lynne Marie Waters and Marci Fallahzadeh.

Councilmember Paul appointed Jason Diamond to the Airport/Transportation Advisory Committee as John Parker who was moving out of the area.

**8. OLD BUSINESS**

- 8.1. Community Chest (deferred from April 5, 2006)

Councilmember Starkey spoke about having businesses within the Town participate in fund raising through the Community Chest with Council serving in an advisory capacity. A board of trustees would be made up of businesses within the community or other interested parties. Councilmember Starkey expressed a desire to work with staff to form by-laws and see if there was community interest and mentioned that Coral Springs had a successful model.

Councilmember Paul expressed interest in moving forward on this issue to augment requests that Council received and could not support. Mayor Truex viewed the Community Chest as a "middle man" and did not believe it was necessary. Vice-Mayor Crowley said he would review Councilmember Starkey's draft, but suggested Council continue to determine final decisions regarding the charities to which Council would contribute. Councilmember Caletka requested to see a proposal considering both options.

**9. NEW BUSINESS**

There was no new business to discuss.

**10. MAYOR/COUNCILMEMBER'S COMMENTS**

**VICE-MAYOR CROWLEY**

**GOAL SETTING SESSION.** Vice-Mayor Crowley questioned if a goal setting session was planned. Mr. Cohen stated that it would likely be planned by the end of the month.

**LIFT STATION.** Vice-Mayor Crowley requested a report on lift stations and backup generators effect on the community.

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**COUNCILMEMBER CALETKA**

**POLICE.** Councilmember Caletka asked for increased police presence in District 1 and asked for an efficiency study to identify areas where money could be allocated to the Police Department.

**BULK PICKUP/DUMPING.** Councilmember Caletka discussed bulk pick up and illegal dumping. He would be in favor of “beefing up” the Code regarding illegal dumping and suggested a reward program be initiated.

**TRAFFIC SIGNAL.** Councilmember Caletka spoke of a senior living facility on Griffin Road that had requested the installation of a warning light advising that this was a senior citizen zone.

**COUNCILMEMBER STARKEY**

**BEAUTIFICATION.** Councilmember Starkey suggested that Councilmember Caletka bring back suggestions to create a beautification committee similar to Plano’s Beautification Committee.

**RELAY OF LIFE.** Councilmember Starkey spoke of Relay for Life and announced that over \$78,000 was raised for the American Cancer Society.

**GENERATOR ORDINANCE.** Councilmember Starkey discussed the hurricane generator ordinance that was being worked on and encouraged Council to forward comments to the Town Attorney’s Office.

**GOLF TOURNAMENT.** Councilmember Starkey advised that the Guns & Hoses Charity Golf Tournament was scheduled for May 22, 2006.

**FENCING.** Councilmember Starkey stated that she needed more information regarding the fence issue at Robbins Lodge.

**POLICE STAFFING.** Councilmember Starkey advised that she wanted to ensure that the Police Department was adequately staff. She requested that Human Resources address the issue of not filling funded positions and felt the Police Chief John George was being criticized unjustly. Councilmember Starkey was in favor of resolving the issues with the Chief, staff and the union representatives.

**COUNCILMEMBER PAUL**

**CODE RE-WRITE.** Councilmember Paul asked for an update on the Code re-write regarding home occupational licenses. Regarding permits, she wanted to review policies and provide residents with check lists that indicate all the items needed.

**POLICE.** Councilmember Paul was glad meetings were held and she knew there was an outpouring of support for Chief George. The residents do not understand the issues and they felt that if there were issues, the union should have come forth to have the issues resolved. Councilmember Paul thought the timing and methodology used was not the best and wisest at this time. She questioned the reason positions were being readvertised.

Councilmember Paul advised that the Town’s ratio of police to residents was one of the best in the County.

**REDISTRICTING.** Councilmember Paul questioned when a redistricting committee would be established.

**DIVERSITY FAIR.** Councilmember Paul stated that a Diversity Fair would be held on May 15th at Robbins Lodge

**CHARTER REVIEW BOARD.** Councilmember Paul asked that the issue of a Charter Review Board be placed on the next agenda.

**FRANCHISE.** Councilmember Paul stated that she was still looking for a response to her concerns regarding the merge of AT&T and Southern Bell and the Town’s franchise agreement. Mr. Kiar stated that the agreements had been reviewed and would probably be “a wash.”

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**11. TOWN ADMINISTRATOR'S COMMENTS**

No comments were provided.

**12. TOWN ATTORNEY'S COMMENTS**

No comments were provided.

Councilmember Starkey asked if Council could hold a meeting regarding the police union. Councilmember Paul and Mayor Truex felt this would be premature with Councilmember Starkey disagreeing. Mayor Truex stated that Council "jumping into it" could make matters worse and suggested that Mr. Cohen handle the matter. Mr. Cohen advised that staff could provide a report on what the union believed the issues were and he and Chief George could meet with the union to see if a resolution could be obtained. Mr. Cohen stated that if there continued to be a problem, Council could become involved at that point. He added that he would provide a solution to the issues.

**13. ADJOURNMENT**

There being no further business to discuss and no objections, the meeting was adjourned at 1:02 a.m.

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor/Councilmember

\_\_\_\_\_  
Town Clerk

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